REMARKS

Information Disclosure Statement

The Office Action on page 2 indicates that Applicant's Information Disclosure Statement filed on February 22, 2002 fails to comply with the provisions of 37 C.F.R. 1.97 and 1.98, along with M.P.E.P. § 609 because only the cover pages were submitted for non-patent literature. Applicant has enclosed a supplemental Information Disclosure Statement which cites the references previously cited in Applicant's February 22, 2002 statement, along with copies of such references.

Status

This Amendment is responsive to the Office Action dated November 2, 2005, in which Claims 1-16 were rejected. Claims 7-10 have been canceled; Claims 1, 4, 11-13, and 15 have been amended; and new Claims 16-19 have been added. Accordingly, Claims 1-6 and 11-19 are pending in the application, and are presented for reconsideration and allowance.

Claim Rejection - 35 U.S.C. § 102

Claims 1-3, 7, and 11, stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication 2002/0065844 to *Robinson* et al. (hereinafter, *Robinson*). This rejection is respectfully traversed.

Applicant has amended Claim 1 in order to more particularly point out and clarify the claimed invention. Claim 1 relates to a method of printing stored digital images transferred from an imaging device. A computer receives and stores in memory the images from the imaging device. At least one print control file is received from the imaging device which indicates a prior intention for printing particular stored images. The computer responds to the print control file to produce and display a list of printing tasks, which are selectable by the computer user. The computer responds to the user selection of at least one of the printing tasks to initiate printing of images.

Robinson relates to a system and method for customizing tags in digital images captured with an image capture device. The capture device stores the digital images in image files. *Robinson* stores a key ID and a definition of one or more custom tags on a server on a network. Image files can be received

over the network, where each of the image files includes image data, the key ID, and the custom tags containing data. The image files may be recognized by the key ID and using the stored definition to extract the data from the custom tags to make the data available to a user along with the image data.

In *Robinson*, each camera has its own key ID to distinguish the images coming from different users when images are received over the network. The key ID or tagging information of *Robinson* is only used in the retrieval and storage of images, not printing, as in Applicant's Claim 1. Furthermore, the control file of Applicant's invention is separate from the image information, unlike *Robinson*, where the image files include image data, the key ID, and custom tags containing data.

Moreover, Applicant submits that *Robinson* fails to show, suggest, or provide motivation for a computer responding to the print control file to create and display a list of printing tasks selectable by a computer user. Paragraphs 30 and 33, as cited by the Office Action on page 3, indicate that a data file may provide an ordered collection of image data, or can be used to provide a menu selection for a user. However, clearly *Robinson* does not show or describe a print control file, nor displaying a list of printing tasks, as part of the describe data file that can be provided. As described in paragraph 33 of *Robinson*, users can view images after logging onto a gateway server using an ID and password. The gateways server retrieves the images based on the user ID.

Robinson also fails to show, suggest, or provide motivation for Applicant's claimed features of allowing the user to select at least one printing task from a list, and the computer responding to the user's selection to initiate the printing of images. As cited by the Office Action on page 3, Claims 5 and 6 of *Robinson* relate to allowing a user to log onto a gateway server to view images, and in response to the user logging in, allow for retrieval of image data as well as the building and displaying of web pages with the retrieved image data. Clearly, this disclosure does not relate to selecting printing tasks from a list and having a computer initiate the printing, and nor does any other disclosure in *Robinson* teach, suggest, or provide motivation for these features.

Thus, for at least the reasons detailed above, Applicant believes that Claim 1 is allowable. Claims 2-6 are dependent on Claim 1 and therefore

include all the features thereof. For at least the reasons set forth above with regard to Claim 1, Claims 2-6 are believed to be patentable.

As indicated above, Applicant has canceled Claim 7, as well as Claims 8-10 which depend therefrom.

Turning to Claim 11, Applicant has amended this claim in order to more particularly point out and clarify the invention. As amended, Claim 11 relates to using stored images captured by a digital camera. The method uses the digital camera to capture digital images and store them in memory. A user selects particular digital images and indicate an intention to email the particular selected digital images. The camera produces an email control file, including identifiers corresponding to the user selected particular digital images, and stores the control files in memory. A computer receives the email control files from the digital camera, and the computer responds to the email control file to create a "to do" list indicating at least one email task that can be performed at a future time. The computer displays the "to do" list and the computer user selects one of the email tasks. The computer response to the user selected email task to initiate the emailing of the selected particular images identified in the email control file.

Applicant respectfully submits that *Robinson* neither shows, suggests, nor provides motivation for a user selecting particular digital images and indicating an intention to email such user selected images particular images. Paragraph 30 of *Robinson*, as cited by the Office Action on page 5, indicates that data may be provided by the user by selecting from a menu or by entering the data using text entry software. Clearly, Applicant's claimed feature of a user selecting particular images and indicating an intention to email such images is not disclosed in *Robinson*.

Applicant further submits that Applicant's feature of the camera producing an email control file including identifiers corresponding to the user selected particular digital images, and storing such email control files in memory is not shown or suggested by *Robinson*. Nor is any motivation provided by *Robinson* for this feature. Moreover, Applicant submits that the *Robinson* does not show a computer receiving the email control files from the digital camera. Paragraph 32, Claim 1, and FIGS. 2 and 3 of *Robinson*, as cited by the Office Action on page 5, merely indicates that the gateway server receives image files, extracts the image data and image tags, and stores them in their respective

databases. Thus, separating tags and data for storage in separate databases at the photo service which includes the gateway server clearly does not teach creating and storing email control files for particular images.

In addition, *Robinson* fails to show, suggest, or provide motivation for a computer system responding to the email control files to create a "to do" list indicating at least one email task that can be performed at a future time. Paragraph 33, as cited by the Office Action on page 5 merely relates to image retrieval upon a user logging into a gateway server – no "to do" list is created indicating an email task to be completed in the future.

Robinson fails to show, suggest, or provide motivation for that the computer displays the "to do" list and the computer user selecting one of the email tasks, and further fails to show the computer responding to the user selected email task to initiate the emailing of the selected particular images identified in the email control file. The disclosure of *Robinson* cited by the Office Action on page 5 (*Robinson*'s Claims 5 and 6) fail to show Applicant's claimed feature.

For at least the reasons indicated above, Applicant believes that Claim 11 is in condition for allowance. Claims 12-14 depend on Claim 11 and therefore include all the features thereof. For the reasons set forth above with regard to Claim 11, Claim 12-14 are also believed to be patentable.

Claim Rejection - 35 U.S.C. § 103

Claims 4-6, 8-10, 12, and 14 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Robinson* in view of U.S. Patent Publication 2003/0014416 to Kimbell et al. (hereinafter, *Kimbell*). This rejection is respectfully traversed.

Applicant's amended Claim 4 which ultimately depends from the method of Claim 1 and further includes the step of receiving at least one email control file from the imaging device which indicates a prior intention for emailing particular stored images. The computer responds to the email control file to create and display a list of email tasks selectable by the computer user.

Applicant submits that *Kimbell*, whether taken singly or in combination, fails to make up for the deficiencies of *Robinson* described above in connection with Claim 1. Unlike Applicant's claimed invention, *Kimbell* does not show, suggest, or provide motivation for a computer responding to an email

control file which indicates prior intention to email images, and where the computer creates and displays a list of user selectable email tasks. In paragraphs [0033] and [0034] cited by the Office Action, *Kimbell* indicates an image intent file that is associated with particular images, where intent is honored by a distribution intent method including email. Although paragraph [0026] describes a user's general ability to select in a user interface, it does not teach, suggest, or provide motivation for a computer creates and display a list of user selectable email tasks based on a control file. Accordingly, for at least these reasons, as well as for the reasons stated above in connection with Claim 1, Applicant submits that Claim 4 is patentable.

Applicant submits that Claim 5 which depends from Claim 1, is patentable for at least the same reasons that Claim 1 is patentable. Claim 6, which depends from Claim 4 and includes all of the features thereof is allowable for at least the same reasons that Claim 4 and Claim 1 are allowable.

As stated above, Applicant has canceled Claims 8-10.

Turning to Claim 12, Applicant has amended this Claim in order to clarify and more particularly point out the invention. Claim 12, which depends from Claim 11 and includes all the features thereof, relates to email control files which further include an email address where digital images are to be sent. Applicant submits that *Kimbell* fails to make up for the deficiencies of *Robinson* discussed above in connection with Claim 11. Therefore, Applicant believes that Claim 12 is in condition for allowance. In addition, Claim 14 depends from Claim 12 and includes all of the features thereof, and therefore is patentable for at least the same reasons discussed above that Claims 12 and 11 are patentable.

Claims 13 and 15 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Robinson* in view of U.S. Patent Publication 2002/0067923 to Fujimura (hereinafter, *Fujimura*).

Applicant has amended Claim 13 in order to clarify and more particularly point out the invention. Claim 13 depends from Claim 11 and therefore includes all the features thereof. For at least the reasons set forth above with regard to Claim 11, Claim 13 is believed to be patentable.

Applicant has also amended independent Claim 15 in order to clarify and more particularly point out the invention. Claim 15 relates to a method of capturing and using stored images captured by a digital camera. The

method uses the digital camera to capture digital images and store the captured digital images as digital image files in memory. The user selects particular digital image and indicates an intention to print such images. The camera produces a first print control file according to the user indicated intention, and includes identifiers corresponding to the user selected particular digital images, and storing the control file in memory. This first print control file is stored separately from the digital image files. The computer receives the first print control file from the digital camera. The computer responds to the first print control file to create a "to do" list indicating at least one printing task that can be performed at a future time selectable by the computer user. The at least one printing task identifies the images identified in the first print control file. The computer initiates deletion of the first print control file and the digital images from the digital memory of the camera. Next, the computer displays the "to do" list of selectable printing tasks and the computer user selects one of the printing tasks provided in a "to do" list. The computer responding to the user selected printing tasks to initiate the printing of images indicated by the selected task.

Applicant submits that *Robinson* fails to show, suggest, or provide motivation for a user selecting particular digital images and indicating an intention to print such captured images. Although the Office Action cites paragraph 30 of *Robinson*, Applicant cannot find any indication that a user is able to select images and indicate and intention to print them. If the Examiner continues with this rejection, Applicant would appreciate a more specific identification where the Examiner believes this subject matter is in *Robinson*.

In addition, *Robinson* does not teach that the digital camera produces a first print control file in accordance with the user indicated intention, and where this print control file is stored separately from the digital image files. Rather, *Robinson* indicates storing data along with digital image files, not separately from the image (*see, e.g.,* FIGS. 2 and 3 of *Robinson*, which show that image data and tag information are stored together as part of an image file).

Furthermore, as described above in connection with Claim 1, *Robinson* does not show the computer receiving the first print control file from the digital camera. Paragraph 32 of *Robinson* (cited by the Office Action on page 13) relates to the gateway server receiving image files and extracting the image data and the image tags and storing them in their respective databases. Clearly,

there are no print control files received by the any computer, including the gateway server, in *Robinson*.

Moreover, Applicant submits that *Robinson*, including paragraph 33 cited in the Office Action, does not show, suggest, or provide motivation for the computer responding to the first print control file to create a "to do" list indicating at least one printing task that can be performed at a future time. Nor does *Robinson* show that the printing task is selectable by the computer user, and where the task identifies the images that were identified in the first print control file. Paragraph 33, as cited by the Office Action, relates to a user logging onto a gateway server using an ID and password, and making a request to view uploaded images. The gateway server may dynamically build and display web pages containing the retrieved images and their custom tags based on retrieved metadata definitions. Clearly, this disclosure, nor any other disclosure in *Robinson*, relates to Applicant's claimed features.

Applicant agrees with the Examiner that *Robinson* does not expressly disclose the computer initiating deletion of the control file and the digital images from the memory of the digital camera. Although the Office Action uses *Fujimura* to make up for this deficiency in *Robinson*, Applicant submits that the cited portions of *Fujimura* (FIG. 5 and paragraph 70) relate to deleting image data, not print control files.

Moreover, *Robinson* does not show or describe the computer displaying the "to do" list of selectable printing tasks and the computer user selecting one of these tasks from the "to do" list, nor does *Robinson* show the computer responding to the user selected printing task to initiate printing of images. As cited by the Office Action on page 13, the disclosure of *Robinson* in Claims 5 and 6 do not relate to selectable printing tasks, user selection of such tasks, or a computer responding to a user's selection of printing tasks.

For at least the reasons stated above, Applicant believes that *Robinson*, either taken alone or in combination with *Fujimura*, fails to show or describe the above-indicated features of Applicant's Claim 15. Therefore, Applicant believes that Claim 15 is in condition for allowance. Furthermore, Claim 16 which depends from Claim 15 and therefore includes all of the features thereof, is allowable for at least the same reasons that Claim 15 is allowable.

New Claims 17-19, which depend from claim 15 and therefore include all of the features thereof and scope of protection afforded thereto. For at least the reasons stated above in connection with Claim 15, Applicant believes Claims 17-19 are allowable.
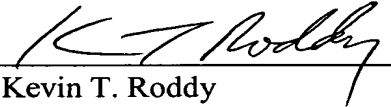
Summary

Should the Examiner consider that additional amendments are necessary to place the application in condition for allowance, the favor is requested of a telephone call to the undersigned counsel for the purpose of discussing such amendments.

For the reasons set forth above, it is believed that the application is in condition for allowance. Accordingly, reconsideration and favorable action are respectfully solicited.

The Commissioner is hereby authorized to charge any fees in connection with this communication to Eastman Kodak Company Deposit Account No. 05-0225.

Respectfully submitted,

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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.